



DATE DOWNLOADED: Fri Feb 10 12:52:15 2023 SOURCE: Content Downloaded from <u>HeinOnline</u>

## Citations:

Bluebook 21st ed. Statutes of the Realm (1235-1377).

ALWD 7th ed.

. Statutes of the Realm (1235-1377).

APA 7th ed. (1235-1377). Statutes of the Realm. .

Chicago 17th ed. Statutes of the Realm. , .

McGill Guide 9th ed. Statutes of the Realm (: ., 1235-1377)

AGLC 4th ed. Statutes of the Realm (., 1235-1377)

MLA 8th ed. Statutes of the Realm. , . HeinOnline.

OSCOLA 4th ed. Statutes of the Realm.,.

- -- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <a href="https://heinonline.org/HOL/License">https://heinonline.org/HOL/License</a>
- -- The search text of this PDF is generated from uncorrected OCR text.

## Statutu apud Westm in p'liamento in festo S'ci hillarii anno regni Regis E. t'cii vicesimo qinto tento, f'cm.

In Margine

A STATUTE made at WESTMINSTER; In the Parliament holden in the Feast of Saint Hilary; In the Twenty-fifth Year of the Reign of K. EDWARD the THIRD.

Ex magno Rot. Stat. in Turr. Lond. m. 16.

U plement somonz a Westm, en la feste de Seint Hiller lan du regne nre Seign' le Roi Edward Denglerre vintisme quint, & de France douzisme, nre & le Roi del assent des Prelatz, Ducs, Countes, Barons, & de tout la comunalte de son Roialme Denglerre, au dit plement somons, al hon' de Dieu & de Seinte Eglise, & en amendement de son dit Roialme, ad ordeine & establi les choses soutzescriptes.

En p'mes, p'ce q tresg'untz & tresout'geouses damages & grevances sont faites au poeple p les pno's & p'veo's des vitailles p' les hosteux nre & le Roi, ma dame la Roigne, & de lo' enfantz, Si est acorde & assentuz en le dit plement, q les pno's & p'veio's des bledz p' les ditz hosteux les Pignent p mesure rase, selonc ceo q home use pmy le Roialme. Et q touz bledz, feyns, litere & bestaill, & touz aut's vitailles & choses quecuqes, queles sont aprendre p' meismes les hosteux, soient p'sez a la vroie value, p les Conestables & aut's bons gentz des villes ou tieles prises se feront, sanz ce q p manaces, ou duresces soient les preisours chacez a mettre autre pris q lour sement ne voet, & come curt coement en les Pscheins marchees: et q entre les Purveours et ceux des queux les biens Front prises, en la Psence des Conestables & preisours, soient tailles tantost faites, saunz ceo q les gentz des queux les biens gront prises soient aillours traitz ou t'vaillez; & meismes les tailles ensealez des seals les pnours des choses issint prises, p les queles tailles gre soit fait as ceux des queux les choses front issint prises: et si nul pnour ou P'veour p' les ditz hosteux face p autre mane, soit meintenant arestu p la villee ou la prise sra faite, et mesne a la pscheine gaole, et si de ceo soit atteint, soit la fait de lui come de laron, si la quantite des biens le demand; solonc ceo qen un estatut fait en temps meisme nre €' le Roi lan de son regne quint, & en un autre estatut fait en temps laiel nre Seign' le Roi s' tieles prises, est contenuz plus au plein: et q desore soit contenuz es comissions des tieux P'veours et pnours, lentent et la peine contenuz en cest estatut: et q nule comission soit faite forso, soulement souz les gent ou prive sealx le Roi; ne q nul home soit tenuz de obeier a autre comission nen autre manle q nest dit en avant; et q meisme lestatut tiegne lieu en toutz pointz devs chescun pnour & p'veour, de chescune mane des vittailles en chescune ptie du Roialme de quele condition qil soit.

Auxint p'ceo q divses opinions ount este einz ces heures quu cas, q'nt il avient doit estre dit treson, & en quel cas noun, le Roi a la requeste des Seign's & de la Cõe, ad fait declarissement q ensuit, Cest assavoir; STATUTE THE FIFTH.

T the Parliament summoned at Westminster in the Feast of St. Hilary, the Year of the Reign of our Lord King Edward the Third [after the Conquest,] of England the Five and twentieth, and of France the Twelfth; our said Lord the King, by the assent of the Prelates, Earls, Barons, and of all the Commonalty of his Realm of England summoned to the Parliament, to the honour of God and Holy Church, and in Amendment of his said Realm, hath ordained and established

the Things underwritten.

FIRST, Forasmuch as great and outrageous damage and grievance hath been done to the People by the Takers and Purveyors of Victuals, for the Houses of our Sovereign Lord the King, the Queen, and their Children; It is accorded and assented in the said Parliament, That the Takers (') of Corn for the said Houses shall take the same by Measure striked according as it is used through the Land. And that such Corn, Hay, Litter, Bestall and all other Victuals and Things, which shall be taken for the said Houses, shall be [taken'] by the very Value, by the Constable and other good People of the Towns where such Taking shall be made, without that that the Praisers by Menace or Duress shall be driven to set any other Price than their Oath will, and as commonly runneth in the next Markets. And that betwixt the Purveyors and them whose Goods shall be taken in the presence of the Constables and Praisers, Tallies be made incontinently, without that that the People whose Goods shall be taken, shall be drawn or travelled elsewhere, and the same Tallies sealed with the Seals of the Takers of the Things so taken, by which Tallies Gree shall be made to them whose Goods shall be so taken; and if any Purveyor or Taker for Punishment the said Houses, do in any other Manner, he shall be for undue [maintenant] arrested by the Town where the Taking shall be made, and brought to the next Gaol; and if he be thereof attainted, it shall be done of him as of a Thief, if the Quantity of the Goods the same require; according as in a Statute made in the Time of our Sovereign Lord the King that now is, the Fifth Year of his Reign, and in another Statute made in the Time of the King's Grandfather upon such Takings, is contained more at the full: and that from henceforth in the Commissions of such Takers and Purveyors, the Intent and Pain limited in this Statute shall be contained: and that no Commission be made, but only under the Purveyors' King's great Seal or Privy Seal; nor that no Man be bound to obey [any such Commissions, other or in what the Great or Manner 1] than is aforesaid; and that the same Statute Privy Seal. take place in all Points against every Taker and Purveyor of every Manner of Victual in every part of the Realm, of what Condition soever he be.

ITEM, Whereas divers Opinions have been before this Time [in what Case Treason shall be said, and in Declaration what not; '] the King, at the Request of the Lords and of the Commons, hath made a Declaration in the Manner as hereafter followeth, that is to say; When a Man Treason.

by Measure striked

by Purveyors shall be appraised Value.

Tallies of

5 E. III. c. 2.

shall be under

and Purveyours

praysed immediately \* any other Commyssions, or in other manner MS. Tr. 2.

what case should be adjudged Treason, and what not;

Compassing the Death of the King, their eldest violating the Queen, or the King's eldest Daughter unmarried, or his eldest Son's Wife; levying War ; adhering to the King's Enemies ; counterfeiting the King's Scale, or Money; importing counterfeit Money; killing the Chancellor, Treasurer, or Judges in their Duty. The King shall have the Forfeiture of all the Offenders' Lands. Petit Treason. Forfeiture of the Lands to the Lords. New Questions of Treasons shall be decided in Parliament.

doth compass or imagine the Death of our Lord the King, or of our Lady his [Queen'] or of their eldest Son and Heir; or if a Man do violate the King's [Companion,'] or the King's eldest Daughter unmarried, or the Wife (') the King's eldest Son and Heir; or if a Man do levy War against our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elsewhere, and thereof be [probably] attainted of open Deed by [the People ] of their Condition: And if a Man counterfeit the King's Great or Privy Seal, or his Money; and if a Man bring false Money into this Realm, counterfeit to the Money of England, as the Money called Lushburgh, or other, like to the said Money of England, knowing the Money to be false, to merchandise or make Payment in Deceit of our said Lord the King and of his People; and if a Man slea the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assise, and all other Justices assigned to hear and determine, being in their Places, doing their Offices: And it is to be understood, that in the Cases above rehearsed, [that ] ought to be judged Treason which extends to our Lord the King, and his Royal Majesty: And of such Treason the Forfeiture of the Escheats pertaineth to our Sovereign Lord, as well of the Lands and Tenements holden of other, as of himself: And moreover there is another manner of Treason, that is to say, when a Servant slayeth his Master, or a Wife her Husband, or when a Man secular or Religious slayeth his Prelate, to whom he oweth Faith and Obedience; and [of such Treason the Escheats ought to pertain of to every Lord of his own Fee: And because that many other like Cases of Treason may happen in Time to come, which a Man cannot think nor declare at this present Time; It is accorded, That if any other Case, supposed Treason, which is not above specified, doth happen (1) before any Justices, the Justices shall tarry without any going to Judgement of the Treason, till the [Cause 1] be shewed [and declared before the King and his Parliament, of whether it ought to be judged Treason or [other of Felony. And if percase any Man of this Realm ride armed [covertly of or secretly with Men of Arms against any other, to slay him, or rob him, or take him, or retain him till he hath made Fine or Ransom for to have his Deliverance, it is not the Mind of the King nor his Council, that in such Case it shall be judged Treason, but shall be judged Felony or Trespass, according to the Laws of the Land of old Time used, and according as the Case requireth. And if in such Case, or other like, before this Time any Justices have judged Treason, and for this Cause the Lands and Tenements have comen into the King's hands as Forfeit, the chief Lords of the Fee shall have the Escheats of the Tenements holden of them, whether that the same Tenements be in the King's hands, or in others, by Gift or in other Manner; Saving always to our Lord the King the Year, and the Waste, and the Forfeitures of Chattels, which pertain to him in the Cases above named; and that [the Writs"] of Scire facias be granted in such Case against the Land-tenants, without other Original, and without allowing [any Protection 13] in the said Suit; and that of the Lands which be in the King's hands, Writs be granted to the Sheriffs of the Counties where the Lands be, to deliver them out of the King's hands without Delay.

Certain Offences not

In such Cases already happened, the Chief Lords shall have the Escheats.

Saving the King's Year and Waste.

Scire facias to Terretenants, &c.

111.

Challenge of

an Indictor

upon an Inquest. ITEM, It is accorded, That no Indictor shall be put in Inquests upon Deliverance of the Indictees of Felonies or Trespass, if he be challenged for that same cause by him which is so indicted.

\* Wife

\* of

\* proveably MS. Tr. 2.

\* People

\* it

\* such Manner of Treason giveth Forfeiture of Escheats

7 of new, MS. Tr. 2.

\* Case

\* before the King in his Parliament, and it be declared

" clsc " openly

" else " Writs

ts "the Protection of our Lord the King

ont home fait compasser ou ymaginer la mort nre Seign' le Roi, ma dame sa compaigne, ou de lour fitz primer & heir; ou si home violast la compaigne le Roi, ou leisnesce filt le Roi nient marie, ou la compaigne leisne fitz & heir du Roi; & si home leve de guerre contre nre dit Seign' le Roi en son Roialme, ou soit aherdant as enemys nre Seign' le Roi en le Roialme, donant a eux eid ou confort en son Roialme ou p aillours, & de ceo pvablement soit atteint de ovt faite p gentz de lour condicion: et si home contreface [les gent ou prive sealx le Roi,'] ou sa monoie, et si home apport faus monoie en ceste Roialme contrefaite a la monoie Dengletre, sicome la monoie appelle [Lucynburgh'] ou autre semblable a la dite monoie Dengletre, sachant la monoie estre faus, p' marchander, ou paiement faire en deceit nre dit Seign' le Roi & son poeple; et si home tuast Chanceller. Tresorer, ou Justice nre Seign' le Roi del un Baunk ou del autre, Justice en Eir & des assises & toutes auts Justices assignez a oier & tminer esteiantz en lours places en fesantz lours offices: et fait a entendre gen les cases suisnomez doit estre ajugge treson [q sestent'] a nre Seign' le Roi & a sa roial majeste; et de tiele manle de treson la forfait e des eschetes apptient a nie Seign' le Roi, si bien des Pres & tenz tenuz des auts, come de lui meismes: et ovesq, ceo il yad autre mane de treson, cest assavoir q'nt un gvant tue son meistre, une feme q tue son baron, q'nt home seculer ou de religion tue son Prelat, a qi il doit foi & obedience; & tiele mahle de treson donn forfait'e des eschetes a chescun Seign' de son fee ppre: et p' ceo q plusurs auts cases de semblable treson p'ront escheer en temps a venir, queux home ne p'ra penser ne declarer en Psent, assentu est q si autre cas supposee treson q nest especifie p amount aviegne de novel devant ascunes Justices, demoerge la Justice saunz aler au juggement de treson, tanq, p devant nre Seign' le Roi [en '] son plement soit le cas monstree & desclarre le quel ceo doit estre ajugge treson ou autre felonie. Et si p cas ascun home de cest Roialme chivach arme descovert ou secrement od gentz armees contre ascun autre, p' lui tuer ou derober, ou p' lui p'ndre & retenir tanqil face fyn ou raunceon p' sa deliverance avoir, nest pas lentent du Roi & de son conseil q en tiel cas soit ajugge treson, einz soit ajugge felonie ou Yspas solone la lei de la Pre auncienement usee, & solonc ceo q le cas demand: et si en tieu cas, ou autre semblable devant ces heures, ascune Justice eit ajugge treson, & p celle cause les tres & teñz soient devenuz en la main nre Seign' le Roi come forfaitz, eient les chiefs Seign's de fee lours eschetes des tenz de eux tenuz, le quel q les tenz soient en la main nre Seign' le Roi, ou en la main des aurs, p donn ou en autre mane; Sauvant totefoitz a nre Seign' le Roi lan & le wast, & aut's forfait'es des chateux q a lui attenent en les cases suisnomez et q briefs de Scire sac Vs les Pres tenantz soient gentez en tieu cas, saunz autre originale & saunz allower la pteccion nee Seign' le Roi en la dite seute; et q de les tres q sont en la main le Roi, soit g'nte brief as viscontes des Countees la ou les Pres gront de ostier la main le Roi saunz outre delaie.

Auxint acorde est, q nul enditour soit mys en enquest s' la delivance del endite de Pspas ou de felonie, sil soit chalange p tiele cause p celui qest endite.

\* & Rot. Parl.

le grant seal le Roi, Rot. Parl. 25 E.3. P. II. nu. vij. (17.)
Lusseburgh Rot. Parl.

q ce estent Rot. Parl.